IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 738(M/S)/2006
(Interim Relief Application No.7171 of 2006)

Harsh Goel S/o Shri Panna Lal Goel
R/o Mohalla – Saravgyan, Jain Gali
Shri Printing Press, Mangloaur Town
P.O. & Pargana – Manglaur,
Tehsil – Roorkee District Haridwar. .....Petitioner

Vs.

1. Registrar
   Hemwati Nandan Bahuguna
   Garhwal University, Srinagar
   Garhwal, Uttaranchal,
2. Arihant College of Education,
   Badheri Rajputan, Roorkee,
   District Hardwar, through it's Secretary.
3. Hamilayan College,
   Puhana Chauck Roorkee,
   District Hardwar, through it's Secretary.
4. Sita Devi Memorial Institute of Education
   & Technology, Jawalapur,
   District – Hardwar through it's Secretary
5. Motherland Institute of Management
   & Technology, 36, Industrial Area,
   Hardwar, District Hardwar.
   Through it's Secretary.
6. Tanishka College of Education,
   59/3, Rajpur Road, Dehradun, through it's Secretary.
7. Uttaranchal College of Education,
   Shella Khurd, Dehradun, through it's Secretary.

..... Respondents.

17.06.2006

Sri Rajendra Singh, Counsel for the petitioner,
Sri J.P. Joshi, Counsel for the respondent no.1.

Hon'ble Rajesh Tandon, J.

Heard Sri Rajendra Singh, Counsel for the petitioner & Sri J.P. Joshi, Counsel for the respondent no. 1.

By the present writ petition, the petitioner has prayed for a writ of mandamus commanding the respondents to give the admission to the petitioner in B.Ed. course in the preferential Colleges/Institution given by the petitioner on the basis of B.Ed. Entrance Test – 2005 as a General Candidate in Science Group under

the Management Quota on the prescribed fees for the admission by the respondent No.1.

Briefly stated according to the petitioner, he has submitted his application form for the B.Ed. Entrance Examination of 2005 under Science group as a General Candidate and he has also appeared in the B.Ed. Entrance Examination – 2005 bearing Roll No.128208, the same was held on 05.06.2005.

Petitioner has submitted that B.Ed Entrance Examination – 2005 was declared and he got total marks 265 in the mark sheet of Science Group.

The grievance of the petitioner is that University has issued Press Notes in the daily newspaper for the admission in B.Ed. Course in the affiliated Self Finance Institution for the Session 2005-06 under the Management Quota.

According to the submission of the petitioner, he has obtained 265 marks whereas the University has fixed cut off marks 231 in Science group in General Category and therefore, admittedly, the petitioner has obtained more than cut off marks, so he is entitled for admission. University has issued a press note in the daily newspaper for the admission in B.Ed. Course in the affiliated Self Finance Institution for the Session 2005-06 under the Management quota.

In pursuance of this press note the petitioner has submitted his application stating therein that the name of the petitioner is not in the list of the successful candidates as published as per minimum cut off merit for the science group i.e. 231 while the petitioner has got 265 marks.

Petitioner has submitted that the respondents have refused to give admission in B.Ed. Course as General Candidate under Science group for the Session 2005-06 under Management Quota while the classes of B.Ed. course has already started.

Sri J.P. Joshi, Advocate appearing on behalf of the respondent no.1/ University has submitted that now it is role of respondent

No.2 to 7/institutions to provide admission according to the cut off merits as fixed by the respondent no.1.

In view of the above, the petitioner is directed to bring to the notice about the matter to the respondent no.1 and after considering the representation of the petitioner, it shall be disposed of in accordance with law within a period of two months from the date of production of certified copy of this order.

Subject to the aforesaid observation, writ petition is disposed of. No order as to costs.

17.06.2006 **(Rajesh Tandon, J.)**

Jain